Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) A method for preventing unintended acceleration of a vehicle, in which a first actuation variable which describes actuation (v_{FB}) of a driving operating element (31) which is provided for influencing drive means (35) of the vehicle is determined, and in which the vehicle remains unaccelerated if an idling condition which is dependent on the first actuation variable which is determined is fulfilled, characterized in that, in addition to the first actuation variable, a second actuation variable which describes actuation (v_{BB}) of a brake operating element (34) which is provided for influencing braking means of the vehicle is determined, the idling condition also being dependent on the second actuation variable which is determined.

2. (Original) The method as claimed in claim 1, characterized in that the first actuation variable describes an actuation speed (v_{FB}) of the driving operating element (31), and/or in that the second actuation variable describes an actuation speed (v_{BB}) of the brake operating element (34).

3. (Currently Amended) The method as claimed in claim 1 ~~or 2~~, characterized in that a dead time variable which describes the time (Δt) between the end of actuation of the brake operating element (34) and the start of subsequent actuation of the driving operating element (31) is determined, the idling condition also being dependent on the dead time variable which is determined.

4. (Original) The method as claimed in claim 2, characterized in that the idling condition is fulfilled if by evaluating the first and second actuation variables it is determined that the actuation speed (v_{BB}) of the brake operating element (34) exceeds a first actuation threshold value ($v_{BB,ref}$) which is predefined for the brake

operating element (34), and in that the actuation speed (v_{FB}) of the driving operating element (31) exceeds a second actuation threshold value ($v_{FB,ref}$) which is predefined for the driving operating element (31).

5. (Currently Amended) The method as claimed in claim 4 ~~in conjunction with claim 3~~, characterized in that a dead time variable which describes the time (Δt) between the end of actuation of the brake operating element (34) and the start of subsequent actuation of the driving operating element (31) is determined, the idling condition also being dependent on the dead time variable which is determined; and the idling condition is fulfilled if by evaluating the dead time variable it is also determined that the time (Δt) described by the dead time variable drops below a predefined time threshold value (Δt_{ref}).

6. (Currently Amended) The method as claimed in ~~one of claims 1 to 5~~ claim 1, characterized in that the idling condition is dependent on at least one driving state variable which describes the driving state of the vehicle.

7. (Original) The method as claimed in claim 6, characterized in that a first driving state variable which describes the velocity (v_f) of the vehicle is determined, the idling condition being fulfilled if by evaluating the first velocity variable it is also determined that the velocity (v_f) drops below than a predefined velocity threshold value ($v_{f,ref}$).

8. (Currently Amended) The method as claimed in claim ~~6 and~~ 7, characterized in that a second driving state variable which describes the distance (d) between the vehicle and an obstacle which is located in the direction of travel of the vehicle is determined, the idling condition being fulfilled if by evaluating the second driving state variable it is also determined that the distance (d) drops below a predefined distance threshold value (d_{ref}).

9. (Original) The method as claimed in claim 8, characterized in that the distance threshold value (d_{ref}) is determined as a function of the velocity (v_f) of the vehicle or the relative velocity (v_{rel}) between the vehicle and the obstacle.

10. (Currently Amended) The method as claimed in ~~one of claims 6 to 9~~ claim 6, characterized in that a third driving state variable which describes the relative velocity (v_{rel}) between the vehicle and an obstacle located in the direction of travel of the vehicle is determined, the idling condition being fulfilled if by evaluating the third driving state variable it is also determined that the relative velocity (v_{rel}) drops below a predefined relative velocity threshold value ($v_{rel,ref}$).

11. (Original) A device for preventing unintended acceleration of a vehicle, having first determining means (30) which determine a first actuation variable which describes actuation (v_{FB}) of a driving operating element (31) which is provided for influencing drive means (35) of the vehicle, and having an evaluation unit (32) which determines whether an idling condition which is dependent on the first actuation variable which is determined is fulfilled, and, when the idling condition is fulfilled, said evaluation unit (32) influences the drive means (35) in such a way that the vehicle remains unaccelerated, characterized in that, in addition to the first determining means (30), second determining means (33) are provided which determine a second actuation variable which describes actuation (v_{BB}) of a brake operating element (34) which is provided for influencing braking means of the vehicle, the idling condition also being dependent on the second actuation variable which is determined.